

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

VS.)

CRIMINAL NO. 2:05-CR-119-F

DON EUGENE SIEGELMAN,)

PAUL MICHAEL HAMRICK,)

GARY MACK ROBERTS, and)

RICHARD M. SCRUSHY.)

DEFENDANT GARY MACK ROBERTS'
PROPOSED JURY VOIR DIRE

Comes now Mack Roberts and submits the following proposed Jury Voir Dire and requests they be propounded in the instant action:

1. In conjunction with question 26 on the Jury Questionnaire, Roberts requests the following be asked:

Have you, any member of your immediate family, or any close personal friends ever been employed in or applied for employment with the Military Police, as a prison guard or with any private security firm? If yes, please explain.

2. In conjunction with question 56 on the Jury Questionnaire, Roberts requests follow up questions be asked (preferably at side bar) concerning any positive responses. These follow up questions should include:

- a) describe the person's relationship to you;
- b) describe the incident including the date and location; and
- c) were you satisfied with how you were treated by the criminal justice system, please explain.

3. Roberts requests this Court inquire into any pre-trial publicity that the potential jurors may have encountered, preferably at a side bar, as follows:

- a). Have heard, seen on television or read anything about this case? If so, describe.
- b). What did you think about what you heard, saw or read?
- c). As you sit here right now, what are your opinions or feelings about these defendants (or this case)?

4. Similar to question number 70 in the Jury Questionnaire, Roberts requests the following be asked:

Within the last 10 years have you, any member of your immediate family, or any close personal friend employed by the Alabama Department of Transportation? If yes, please explain.

Have you, any member of your immediate family, or any close personal friend had any business or personal dealings with the Alabama Department of Transportation? If yes, please explain.

5. Have you attended a church, synagogue, mosque or any other religious facility in the past year? If yes, please name the church, synagogue, mosque or other religious facility and describe how often you attend: a) several times a week; b) weekly; c) a couple of times a month; d) once a month; e) several times a year; or f) less.

6. Which of the following comes closest to describing your political party affiliation: a) democrat; b) republican; c) libertarian; d) independent; or e) other.

7. In this case, the Government has granted immunity to some of their witnesses. How do you feel about the government giving someone a deal in exchange for testifying? Please explain.

8. One of our constitutional rights that our founding fathers fought for was the right not to testify. However, some people think that when someone is charged with a crime that they should testify and others think its okay if they do not. What do you think?

9. Are you familiar with a product called “Rainline”? This is a special type of paint which is used to paint the stripes on highways and roads. Have you ever heard of it?

10. Do you personally know or are you related by blood or marriage to any of the following persons? If yes, please explain your relationship.

- a) Tyler McCurdy, FBI;
- b) Keith Baker, FBI;
- c) Jim Murray, FBI;
- d) Bill Long, AAG’s Office Investigator;
- e) Jack Brennan AAG’s Office Investigator;
- f) Dr. Jay K. Lindley, University of Alabama;
- g) Don Vaughn, Alabama Department of Transportation;
- h) Alva Lambert;
- i) Mark Wilkerson;
- j) Jim Sumner;
- k) David Denton;
- l) Sam Kassouf;
- m) Darin Cline;
- n) Wade Hope;
- o) Dr. Joyce Bigby;
- p) Gerald Dial;

q) Edwin J. Wynn, FBI.

11). Have you, any family member or close friend ever worked with or worked for any District Attorney's Office, United States Attorney's Office, Attorney General's Office or any other city, county, state or federal attorney's office? If yes, please explain.

Respectfully submitted this the 3rd day of April, 2006.

/s/ David McKnight
David McKnight
Josh Briskman
Attorneys for Gary Mack Roberts
BAXLEY, DILLARD, DAUPHIN, MCKNIGHT
AND BARCLIFT
2008 Third Avenue South
Birmingham, AL 35233
Telephone: (205)271-1100
Fax: (205)271-1108

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ David McKnight
Of Counsel